

****ORDINANCE NO. O-212-2008**

AN ORDINANCE OF THE LAFAYETTE CITY-PARISH COUNCIL AND THE LAFAYETTE PUBLIC UTILITIES AUTHORITY (LPUA) ENACTING SECTION 94-209 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES, TO PROVIDE FOR THE REGULATION OF NET METERING WITHIN THE ELECTRIC SERVICE AREA OF THE LAFAYETTE UTILITIES SYSTEM, TO ESTABLISH THE TERMS AND CONDITIONS FOR THE INTERCONNECTION OF NET METERING FACILITIES WITH THE FACILITIES OF THE LAFAYETTE UTILITIES SYSTEM, TO ESTABLISH RATES AND CHARGES FOR THE PROVISION OF ELECTRIC SERVICE TO NET METERING FACILITIES, AND TO PROVIDE FOR RELATED MATTERS

BE IT ORDAINED by the Lafayette City-Parish Council and the Lafayette Public Utilities Authority (LPUA), that:

SECTION 1: Section 94-209 of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby enacted, to read as follows:

Sec. 94-209. Service to Net Metering Facilities.

- (a) For purposes of this Section, the term "net metering" shall mean the generation of electric power by an electric customer of the System and the measurement of electric energy flow both into and out of the customer's facilities for the purpose of offsetting the customer's liability for electric energy from the System by the customer's production of electric energy.
- (b) Net metering facilities shall be permitted to interconnect with the System only in conformity with such terms and conditions as may be specified by the Director. The Director may require any customer desiring to interconnect net metering facilities with the System to execute an interconnection agreement with the System, and the Director is hereby authorized to execute such agreements on behalf of the System and the Lafayette City-Parish Consolidated Government.
- (c) Any customer interconnecting net metering facilities with the System shall, in all cases, be fully responsible for the protection of the System and of persons and property caused by the interconnection of the customer's net metering facilities, including, but not limited to (1) protection from harm to any personnel or damage to any equipment; (2) unacceptable levels of stability of the System; or (3) operation of the System outside of established parameters affecting the quality of service to other customers connected to the System. Once interconnected to the System, net metering facilities shall not be modified without prior notice to, and prior approval by, the Director.
- (d) In addition to any and all charges specified in Subsection (c) of this Section, any customer interconnecting net metering facilities to the System shall be responsible, at said customer's sole cost and expense, to pay any and all costs, charges, and expenses necessary to cause interconnected net metering facilities to remain compatible in all respects with the System. The System shall not in any respect be responsible for establishment or continuation of any configuration of the System to allow net metering facilities to remain compatible.
- (e) **Monthly Billing**

Each month, the net metering (NM) customer shall be billed charges under the currently effective rate schedule applicable to that customer. Under net metering, only the kilowatt-hour (kWh) billing units will be used to apply rates and render a bill.

The method of billing the NM customer will rely on whether the System provides more or less electricity to the NM customer than that customer generates and feeds back to the System during a billing month, as follows:

- (i) If the electricity supplied by the System exceeds the electricity generated by the NM customer and fed back to the System during the billing month, the NM customer shall be billed for the net kWhs in accordance with the currently effective rate schedule applicable to that customer.
- (ii) If the electricity generated and fed back to the System by the NM customer exceeds the electricity supplied by the System for a billing month, the NM customer shall be credited during the next billing period for the excess kWh generated and fed back to the System.
- (iii) All net excess kWh credits will be carried over each month until the NM customer terminates service and a final bill is rendered. For the final month the NM customer takes service, the System shall issue a check to the NM customer for the balance of any net kWh credit carried over due to net excess generation. The rate applied to the remaining kWh credits shall be at the System's avoided cost as set forth below.
- (iv) The rate at which the net kWh credited for a NM customer at the final bill shall be:

Net excess kWh credit for NM customer \$0.068/kWh
- (v) The net excess credit rate shall be adjusted annually by the Director based on the System's newly calculated avoided costs, for the most recent fiscal year (ending October 31). The new credit rate will be applied each year starting with the November billing cycle.
- (f) The System shall furnish and install a standard bi-directional kilowatt-hour meter for NM customers. The NM customer shall provide and install a meter socket for the bi-directional kilowatt-hour meter and any related interconnection equipment per the System's technical requirements, safety standards, and performance standards. The NM customer shall be responsible for all costs associated with installation of the bi-directional kilowatt-hour meter and any testing of the meter deemed necessary by the System.

SECTION 2: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall become effective upon signature of the Lafayette City-Parish President, the elapse of ten (10) days after receipt by the Lafayette City-Parish President without signature or veto, or upon an override of a veto, whichever occurs first.

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